

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-v-	:	17-CR-548 (JMF)
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JOSHUA ADAM SCHULTE,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
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JESSE M. FURMAN, District Judge:

On November 13, 2021, Defendant Joshua Schulte filed two motions, one seeking leave to file new motions, *see* ECF No. 587; *see also* ECF No. 589 (duplicate), and one raising various issues with respect to the conditions of his confinement at the MDC, *see* ECF No. 590. On November 15, 2021, the Government filed a letter addressing various issues. *See* ECF No. 591.

To the extent that Schulte seeks leave to file a motion to suppress the March 16, 2017 search warrant, *see* ECF No. 587, at 2, the request is DENIED as moot because the March 16, 2017 search warrant was never executed, *see* ECF No. 525-12, at 9 n.4. The Government shall file a response with respect to the rest of Schulte’s requests for leave to file additional motions — including a proposed schedule for any new motions — by **November 18, 2021**.

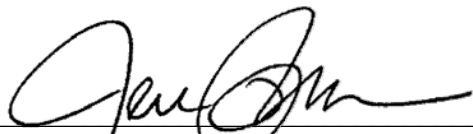
The Government’s letter of November 15, 2021, addresses some of the issues raised in Schulte’s November 13, 2021 letter regarding the conditions of confinement. Nevertheless, the Government shall file a comprehensive response to Schulte’s November 13, 2021 letter — including, if appropriate, a declaration from an appropriate official at the MDC — by **November 29, 2021**. In its letter, the Government should address whether the Court should hold some sort of hearing with respect to Defendant’s conditions of confinement.

The Court is satisfied that there is no need for further action with respect to Items 1, 2, and 5 of the Government's letter of November 15, 2021. With respect to Item 6 (whether or when the Government produced the March 16, 2017 search warrant), the Government shall, no later than **December 3, 2021**, provide an update either identifying the date on which the document was previously produced or, if it was not previously produced, providing an explanation for that failure and addressing whether there could be other Rule 16 materials that were not previously produced.

The Clerk of Court is directed to terminate ECF No. 589 as duplicative.

SO ORDERED.

Dated: November 16, 2021
New York, New York



JESSE M. FURMAN
United States District Judge